

Annex D: Supporting information for applications to appoint or discharge a trustee

For office use only

Case no. (if known)

Date received

Full name of person to whom the application relates (this is the name of the person who lacks, or is alleged to lack, capacity)

Please note: This annex must be submitted with COP1

Section 1 - Your details (the applicant(s))

1.1 (a) Applicant 1

☐ Mr. ☐ Mrs. ☐ Miss ☐ Ms. ☐ Other _____

First name(s)

Last name

(b) Applicant 2

☐ Mr. ☐ Mrs. ☐ Miss ☐ Ms. ☐ Other _____

First name(s)

Last name

1.2 I attach

- ☐ a copy of the order appointing you deputy for the property and affairs of the person who lacks capacity
- ☐ an office copy or certified copy of the registered enduring power of attorney or lasting power of attorney for property and financial affairs made by the person who lacks capacity (where the application does not relate to a trust of land)
- ☐ written consent of your co-deputy or co-attorney
- ☐ details confirming you have notified your co-deputy or co-attorney about this application

Section 2 - Your application

2.1 Please state the order you are asking the court to make?

2.2 I am providing the following information to support my application:

☐ COP3 Evidence of capacity or if previously filed in support of an earlier application

date of report

D	D	M	M	Y	Y	Y	Y
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and date filed

D	D	M	M	Y	Y	Y	Y
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☐ COP24 Witness statement setting out evidence in support of my application incorporating:

- (i) All necessary information specified in Practice Direction 9G
- (ii) Confirmation that any continuing trustee is still capable of carrying out his/her duties (where continuing trustee has executed an enduring power of attorney or a lasting power of attorney for property and financial affairs)

☐ COP12 Special undertaking by trustees

☐ A witness statement in form COP24 confirming the proposed new trustee's fitness to act (not applicable where the proposed new trustee is a solicitor, trust corporation or deputy)

☐ Supporting documents including:

- (a) In respect of all trusts of property: A copy of the entries at the Land Registry or, if the land is unregistered, a copy of the original conveyance or other trust instrument
- (b) In respect of applications under s.54 (where the co-owner is deceased and there is no capable continuing trustee)
 - (i) A copy of the will of the deceased and the grant of representation
 - (ii) A copy of any notice of severance
- (c) In respect of other trusts:
 - (i) A copy of the trust instrument and of any subsequent deeds of appointment and retirement
 - (ii) If a vesting order is required, a schedule of the investments
- (d) A copy of the registered power of attorney in respect of any co-trustee

2.3 I also provide the following additional information in relation to real property:

Address of
the property
(including
postcode)

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2.4 Details of proposed new trustees:

Name of
proposed
trustee (1)

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Relationship to the person to whom the application relates

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Date of birth

D	D	M	M	Y	Y	Y	Y
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☐ Male

☐ Female

Address
(including
postcode)

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Name of
proposed
trustee (2)

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Relationship to the person to whom the application relates

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Date of birth

D	D	M	M	Y	Y	Y	Y
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☐ Male

☐ Female

Address
(including
postcode)

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Section 3 - Statement of truth

The statement of truth is to be signed by you, your solicitor or your litigation friend.

*(I believe) (The applicant(s) believe(s)) that the facts stated in this annex are true.

Applicant (1)		Applicant (2)	
Signed	<div></div>	Signed	<div></div>
*Applicant('s litigation friend)('s solicitor)		*Applicant('s litigation friend)('s solicitor)	
Name	<div></div>	Name	<div></div>
Date	<div></div>	Date	<div></div>
Name of firm	<div></div>	Name of firm	<div></div>
Position or office held	<div></div>	Position or office held	<div></div>

* Please delete the options in brackets that do not apply.

COP1D Notes

Guidance notes on completing form COP1D Annex D: Supporting information for applications to appoint or discharge trustee

Please read the following notes before completing form COP1D

You must complete and file this form if your application relates to the appointment or discharge of trustees.

Completing form COP1D

Please ensure that you provide all relevant information to support your application. Refer to practice direction 9G for further guidance.

Please continue on a separate sheet of paper if you need more space to answer a question. Write your name, the name and date of birth of the person to whom the application relates, and the number of the question you are answering.

What you need to do next

When you have completed this form, you will need to consider what other forms and documents you need to complete. Refer to the guidance notes on form COP1 for information on what forms to complete and what you need to do next.

When you have completed all the forms you should take, or send them to the Court of Protection, along with any fee. For details on where to send your application check the website:
www.gov.uk/court-of-protection.

Disclaimer

Court of Protection staff cannot give legal advice. If you need legal advice please contact a solicitor or your local Citizens Advice Bureau. Information in this guidance is believed to be correct at the time of publication; however we do not accept any liability for any error it may contain.

If you need further help with your application, please check the website www.gov.uk/court-of-protection